

1 MINUTES OF THE

2
3 July 19, 2007 Meeting of the

4
5 Easton Planning & Zoning Commission

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7 Members Present: John Atwood, Chairman, and members, Tom Moore, Dan Swann and
8 Linda Cheezum.

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10 Members Absent: Steve Periconi.

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12 Staff Present: Tom Hamilton, Town Planner, Lynn Thomas, Long Ranger Planner, Zach
13 Smith, Current Planner, and Stacie Rice, Planning Secretary.

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15 Staff Absent: None.

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17 Mr. Atwood called the meeting of the Planning & Zoning Commission to order at
18 1:00 p.m. The first order of business was the approval of the minutes of the Commission's
19 meeting of June 21, 2007. Upon motion of Mr. Moore, seconded by Mr. Swann, the
20 Commission voted 4-0 to approve the June minutes.

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22 The first item discussed was **Thorogood Lane** requesting PUD review of 3
23 additional townhouse units and one carriage house totaling 4 units. Bill Stagg the applicant's
24 agent, and Jon Braithwaite, architect were representatives for the project. Mr. Stagg
25 explained that the project is located at 210 Dover Street (south side of Dover Street, east
26 side of Thorogood Lane, north side of South Lane) and is improved with 2 multifamily
27 apartment buildings along Dover Street and 3 town home units along South Lane. There is
28 also a small outbuilding along Thorogood Lane. The applicant is proposing to demolish the
29 small outbuilding and reconstruct a replica of the outbuilding on the same footprint to be
30 used as a small apartment. They propose to construct 3 town home units along Thorogood
31 Lane similar to the existing town home units along South Lane. This is an infill project
32 located within the Historic District and Planned Redevelopment District. The maximum
33 density for a PUD in the Cr zone is 30 dwelling units per acre, this project proposes
34 approximately 25 dwelling unit per acre.

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36 The next item discussed was a sketch subdivision application for **Foreman Farm** a
37 17 lot residential subdivision located off Route 328 between Bretridge and Golton
38 Subdivisions. The applicant's agent, Tim Glass explained the property is currently improved
39 with two single family dwellings, which is accessed via a driveway to Rte. 328. Access to the
40 subdivision will be via an extension of Meadow Gate Drive. Mr. Glass explained that the
41 stormwater management design will help to mitigate existing flooding issues. Proposed park
42 will be an expansion of the existing park created with the Bretridge Development. Matt
43 Murphy of Patuxent River Development explained that the houses will be similar to those
44 surrounding the proposed subdivision, and that the project will be built in one phase.
45 Neighbors commented on the added traffic that the new 17 lots would create and were
46 concerned about the existing run off issues. Upon motion of Mr. Swann, seconded by Mr.
47 Moore the Commission voted 4-0 to approve the Foreman Farm 17 lot sketch subdivision.

5 The next item was from staff concerning a **Temporary Office Trailer at the**
6 **Easton Club.** Ryan Showalter, applicant explained that the proposed trailer will be 12' x 48'
7 and located on the cart staging area. The trailer is to be used for administrative offices/pro
8 shop during renovations are being completed to the existing restaurant. Upon motion of
9 Mrs. Cheezum, seconded by Mr. Swann the Commission voted 4-0 to approve the
10 temporary trailer for one year.
11

12 The next item was a staff item presented by Mr. Thomas concerning a proposed new
13 Article of the Zoning Ordinance to require **Inclusionary Zoning.** This was discussed in
14 April at which time Bill Stagg raised some concerns about the actual affects of this proposal
15 on real-world applications. The Commission asked Mr. Stagg to meet with the Affordable
16 Housing Board to discuss the issue and return to the Commission following that meeting.
17 Mr. Thomas reported that this meeting occurred in June and as a result, the Affordable
18 Housing Board is now requesting that the Commission act on the proposed Ordinance as
19 originally submitted. He added that while there were a couple of possible changes discussed,
20 it was decided that these would need to be changes to the existing Zoning Ordinance, not
21 the proposed new Inclusionary Zoning Article. Mr. Stagg elaborated on this point. He
22 stated that the main problem lies in conventional subdivisions. There are two main
23 problems. The first is that when opponents of projects come in to protest projects and
24 succeed in getting the number of units cut, the density bonus becomes meaningless and the
25 project possibly becomes economically unfeasible. Mr. Thomas stated that some
26 jurisdictions have dealt with this problem by passing so-called Anti-NIMBY legislation
27 which places a high standard for opponents to have to meet in order to have the
28 Commission decrease a project's density. The second problem is that even if the density is
29 not cut, it may be difficult to physically lay-out the bonus lots given our existing lots sizes
30 and other development standards. Mr. Stagg suggested that perhaps this problem could be
31 solved simply by increasing the number of "undersized" lots that are permitted to be
32 included in a subdivision from 50% to 60%. Upon a motion of Mr. Swann, seconded by Mr.
33 Moore, the Commission voted 4-0 to forward a favorable recommendation on the proposed
34 Inclusionary Zoning Ordinance to the Town Council and to instruct Mr. Thomas to include
35 the Anti-NIMBY and the smaller lot size allowance increase as discussed.
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37 The next item was from staff concerning the **Amish Farmers Market.** Mr.
38 Hamilton explained he had received a request from John Hurt on behalf of the Farmers
39 Market requesting the Town "set aside" approximately 6 to 8 parking spaces on the east
40 side/rear of their building to display Amish products such as gazebos, small storage
41 buildings, etc. Upon motion of Mr. seconded by Mr. the Commission voted 2-2 to approve
42 the request.
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44 The item was from staff concerning a **Similar Use Determination.** Mr. Hamilton
45 explained that Mellissa Strickland currently operates Massage Works a Massage Therapy
46 business on Brooks Drive which is located in the I1 zoning district. Ms. Strickland is asking
47 that a beauty shop be an accessory use to the massage business. She explained that Massage
48 Works Associates is her primary business and would like to have the opportunity to also cut

5 hair in addition to her massage business. She also explained to the Commission that she has
6 6 massage therapists and herself. Her being the only one who would perform hair services
7 to massage clients. Upon motion of Mr. Moore, seconded by Mrs. Cheezum the
8 Commission voted 3-1 (Mr. Swann) opposed to determine that Mr. Hamilton made a correct
9 call that a beauty salon is not an accessory use in the I1 district.
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11 The next item was from staff concerning **8703 Ocean Gateway** east of Route 50
12 south of Taco Bell. Mr. Stagg explained that the Commission at their meeting of January 18,
13 2007 approved a sketch site plan for a 2,584 square foot one story retail building. Mr. Stagg
14 then explained that his client would now like to place a pre-fabricated modular home on the
15 site to function as a sales office. The purpose of this discussion was to receive feedback
16 from the Commission regarding the possibility of obtaining a parking waiver for this use
17 because the building did not function entirely as an office Mr. Stagg did not feel the use
18 warranted the required number of off-street parking spaces. The staff advised that if a
19 parking waiver was granted perhaps it should be conditioned on this use and that if in the
20 future the use changed the parking waiver would become null. The Commission discussed
21 the validity of a parking waiver and possible options for limiting a waiver to this use. The
22 Commission directed the staff to consult with the Town's attorney regarding the pros/cons
23 and options for a conditional parking waiver linked specifically to this use and to report back
24 at the next Planning Commission meeting.
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26 There being no further business the meeting was adjourned at 3:40 p.m. by motion
27 of Mrs. Cheezum, seconded by Mr. Moore.
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30 Respectfully submitted,
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34 Stacie S. Rice
35 Planning & Zoning Secretary
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